

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

| | | |
|----------------------------|---|---------------------|
| EAST KENTUCKY POWER |) | |
| COOPERATIVE, INC. |) | |
| _____ |) | CASE NO. 2015-00263 |
| |) | |
| FAILURE TO COMPLY WITH KRS |) | |
| 278.020(2) |) | |

ORDER

On August 18, 2015, the Commission issued an Order directing East Kentucky Power Cooperative, Inc. ("EKPC") to submit a written response to the violation of KRS 278.020(2) as found in the Commission's July 6, 2015 Order in Case No. 2013-00291.¹ The violation stems from the failure to obtain a Certificate of Public Convenience and Necessity prior to constructing a 345/138-kilovolt transmission line.

On September 3, 2015, EKPC tendered a motion to dismiss or, in the alternative, to schedule an informal conference. In its motion, EKPC denied violating KRS 278.020(2) and expressly noted that any willingness to settle this matter is not an admission of wrongdoing or liability.

The Commission finds that EKPC has not set forth adequate grounds that would justify dismissing this matter, and its motion to dismiss should therefore be denied. The Commission further finds that an informal conference would aid in simplifying and resolving the matters in this proceeding. Accordingly, EKPC's motion to schedule an informal conference should be granted.

¹ Case No. 2013-00291, *Harold Barker, Ann Barker and Brooks Barker v. East Kentucky Power Cooperative, Inc.* (Ky. PSC July 6, 2015).

IT IS THEREFORE ORDERED that:

1. EKPC's motion to dismiss is denied.
2. EKPC's motion to schedule an informal conference is granted.
3. An informal conference shall be held on September 22, 2015, at 10:00 a.m. Eastern Daylight Time at the Commission's offices at 211 Sower Boulevard, Frankfort KY 40602.

By the Commission
ENTERED
SEP 11 2015
KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:



Executive Director

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